

AMENDMENTS TO THE CLAIMS

1. (currently amended) An electrosurgical instrument for an endoscope or a catheter, comprising:

- a) a preferably flexible tube (7)-which can be introduced through an instrument channel (1)-of the endoscope or through a catheter lumen, is electrically nonconductive at least on its outer face, and is open at its distal end, the proximal end of which tube (7)-can be connected to a gas source (29)-for ionizable gas, in particular argon;;
- b) an electrode connection line (9)-which is longitudinally displaceable in the tube (7) and whose proximal end can be connected to a high- frequency current generator-(25);;
- c) an electrosurgical electrode (11)-at the distal end of the electrode connection line (9); and
- d) a handling device (13)-which is connected to the proximal end of the electrode connection line (9)-and by means of which the electrosurgical electrode-(11), by way of the electrode connection line-(9), can be pushed out of the distal end of the tube (7)-and can be drawn into the tube-(7), characterized in thatwherein a stationary electrode (33)-is arranged at the distal end of the tube (7)-and is stationary relative to this end, said stationary electrode (33)-being electrically conductively connected to a contact element (37)-which is arranged in the tube-(7), at a distance from the distal end thereof, and which, when the electrosurgical electrode (11)-is drawn into the tube-(7), is in electrical contact with the electrosurgical electrode (11)-and/or with the distal end of the electrode connection line-(9).

2. (currently amended) The electrosurgical instrument as claimed in claim 1,
~~characterized in that wherein~~ the tube (7) is designed as an electrically insulating, flexible plastic
hose.

3. (currently amended) The electrosurgical instrument as claimed in claim 1 or 2,
~~characterized in that wherein~~ the electrical connection (35) between the active electrode surface
of the stationary electrode (33) and the contact element (37) is electrically insulated relative to
the electrosurgical electrode (11).

4. (currently amended) The electrosurgical instrument as claimed in claim 3,
~~characterized in that wherein~~ an insulating material sleeve (43) is provided in the area axially
between the active electrode surface of the stationary electrode (33) and the contact element (37)
and covers the electrical connection (35).

5. (currently amended) The electrosurgical instrument as claimed in ~~one of the preceding~~
~~claims~~ claim 1, characterized in that ~~wherein~~ the electrode connection line (9) and/or the
electrosurgical electrode (11) are provided at least partially with an insulation coating (45) which
ends or is left open at a site overlapping the contact element (37; 63; 67) in the retracted position.

6. (currently amended) The electrosurgical instrument as claimed in ~~one of the preceding~~
~~claims~~ claim 1, characterized in that ~~wherein~~ the contact element (37) is designed as a sleeve of
electrically conductive material inserted into the tube (7).

7. (currently amended) The electrosurgical instrument as claimed in claim 6,
~~characterized in that wherein~~ the sleeve (37) is provided with an extension (35; 41) forming the stationary electrode (33) and reaching almost to the distal end of the tube.

8. (currently amended) The electrosurgical instrument as claimed in claim 6 or 7,
~~characterized in that wherein~~ the sleeve (37b) is designed as part of a metal tube (47).

9. (currently amended) The electrosurgical instrument as claimed in claim 6 or 7,
~~characterized in that wherein~~ the sleeve (37a, e) is designed as part of a metal wire coil.

10. (currently amended) The electrosurgical instrument as claimed in claim 9,
~~characterized in that wherein~~ the metal wire coil part (37a, e) is provided with an endpiece (41; 41e) forming the stationary electrode (33a, e), reaching almost to the distal end of the tube, and forming the extension.

11. (currently amended) The electrosurgical instrument as claimed in one of claims 6 through 10, characterized in that wherein an insulating material sleeve (43, 43e), which encloses at least part of the extension (41; 41e) between itself and the tube (7a, e), is inserted into the tube (7a, e).

12. (currently amended) The electrosurgical instrument as claimed in ~~one of claims 6, 8 or 9~~, characterized in that wherein the sleeve (37b) reaches almost to the distal end of the tube (7b) and at the same time forms the stationary electrode (33b).

13. (currently amended) The electrosurgical instrument as claimed in claim 12, characterized in that wherein the inner jacket of the sleeve carries an insulating material layer (43b) between an area at the distal end forming the stationary electrode (33b) and an area at the proximal end forming the contact element (37b).

14. (currently amended) The electrosurgical instrument as claimed in ~~one of claims 1 through claim 6~~, characterized in that wherein the contact element (63; 67) is held on a sleeve (59; 59e) inserted into the tube (7d, e).

15. (currently amended) The electrosurgical instrument as claimed in claim 14, characterized in that wherein the sleeve (59) carries an extension (61) forming the stationary electrode (33d) and reaching almost to the distal end of the tube (7d), which extension (61) forms the contact element (63) at an axial distance from the distal end of the tube (7d).

16. (currently amended) The electrosurgical instrument as claimed in claim 15, characterized in that wherein the extension (61), in the area of the distal end of the tube (7d), projects substantially central with respect to the tube (7d), toward the distal end of the latter and, in the area of the sleeve (59), forms the contact element (63), and in that wherein the

electrosurgical electrode (11d) is designed as a flexible wire loop.

17. (currently amended) The electrosurgical instrument as claimed in claim 14, characterized in that wherein the sleeve (59e) reaches almost to the distal end of the tube (7e) and at the same time forms the stationary electrode (33e), and in that wherein the sleeve (59e) carries at least one radially resilient tongue (67) forming the contact element.

18. (currently amended) The electrosurgical instrument as claimed in ~~one of the preceding claims~~ claim 1, characterized in that wherein the handling device (13) comprises abutment means (21)—which limit the movement of the electrosurgical electrode (11) in the proximal direction when it is in the position drawn into the tube (7).

19. (currently amended) The electrosurgical instrument as claimed in ~~one of the preceding claims~~ claim 1, characterized in that wherein the handling device (13) comprises sensor means (39), particularly in the ~~from~~form of a switch, which detect the retracted position of the electrosurgical electrode (11) as a function of the position of the electrode connection line (9) relative to the tube (7).

20. (currently amended) The electrosurgical instrument as claimed in ~~one of the preceding claims~~ claim 1, characterized in that wherein the electrosurgical electrode (11) is designed as a flexible wire loop.

21. (currently amended) The electrosurgical instrument as claimed in ~~one of claims 1 through 19~~claim 1, characterized in that wherein the electrosurgical electrode (11e) is designed as an injection needle, which is connected to the handling device via a hose (53) which is displaceable in the tube (7e).